

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-18 are the claims currently pending in the Application. Claims 1 and 14 are amended to clarify features recited thereby.

Rejection of Claims 1-4, 10 and 14-16 under 35 U.S.C. § 103

Claims 1-4, 10 and 14-16 are rejected under 35 U.S.C. § 103 as being obvious from Blandford, U.S. Patent No. 6,470,449 in view of Metcalfe, U.S. Patent Publication No. 2001/2027446. This rejection is traversed.

For at least the following reasons, Applicant's claimed invention is neither anticipated by, nor obvious from the cited references. By way of example, claim 1 requires adding a record to a database including data resulting from said classifying and data resulting from said accepting.

Blandford discloses a computer diary device that archives a diary entry by creating, time stamping, authenticating and permanently storing a reference data block in combination with a diary entry. The archived diary entry can only be modified by placing original text within compartment codes and by placing inserted text within insertion codes so that the original diary entry can be recreated from a modified diary entry. A reference data block, that cannot be modified, is used to authenticate an original diary entry.

Blandford does not disclose or suggest prompting a user to enter data relating to the events and accepting user input responses to the prompting. The Examiner acknowledges that Blandford does not disclose or suggest these recitations of independent claim 1.

. Since Blandford does not disclose or suggest the foregoing recitations of independent claim 1, Blandford is incapable of disclosing or suggesting adding a record to a database including data resulting from said accepting.

Metcalfe discloses an electronic activity and business system regulator that includes a standard user interface that requires all information presented in the system to be formatted in a standard manner and prompts the user for certain types of user input (Metcalfe, Abstract).

Metcalfe does not disclose or suggest adding a record to a database resulting from said classifying and resulting from said accepting of the user input, as *inter alia* required by independent claim 1. That is, Metcalfe does not disclose or suggest a system that records both data resulting from the generation of an indicator responsive to an event and data resulting from accepting user input to the user prompt. Therefore, Blandford and Metcalfe, even taken together in combination, do not disclose or suggest the recitations of independent claim 1.

Moreover, it is respectfully submitted that there would have been no suggestion or motivation for combining Metcalfe and Blandford to arrive at Applicant's claimed invention. The Examiner alleges that the motivation would have been to enable a system to incorporate multimedia entrees to the user's records and prompting a user to enter data relating to events to enable a user to enter information to allow a system to maintain it. However, Applicant respectfully submits that the Examiner has cited no teaching in either of the cited references, or any prior art, that would motivate the specific combination urged by the Examiner. That is, the Examiner has cited no evidence from the prior art that the cited

feature of independent claim 1 would have been obvious to a person of ordinary skill in the art from Metcalfe and Blandford.

With respect to independent claim 10, as discussed above, it is respectfully submitted that there would have been no motivation or suggestion for combining Metcalfe and Blandford to arrive at Applicant's invention as claimed in independent claim 10.

Independent claim 14 requires accepting data descriptive of an appointment and an event for inclusion in a diary database.

Metcalfe discloses that a calendar or a list of times may be presented to the user to assist in selecting from information entered via a secondary interface regarding a transaction (Metcalfe, paragraph 39). Metcalfe does not disclose or suggest extracting events or historical data from an external data resource. Therefore, Metcalfe is incapable of disclosing or suggesting accepting data descriptive of an event of the current events, as *inter alia* required by independent claim 14.

Further, as discussed above, there would have been no motivation or suggestion for combining Metcalfe with Blandford to arrive at Applicant's invention as claimed in independent claim 14.

Claims 2-4 depend from independent claim 1; Claim 15 and 16 depend from independent claim 14. Therefore, claims 2-4, 15 and 16 incorporate novel and non-obvious features of their respective base claims and are patentably distinguishable over the prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art. Accordingly, this rejection should now be withdrawn.

Rejection of Claim 5 under 35 U.S.C. § 103

Claim 5 is rejected under 35 U.S.C. § 103 as being obvious from Blandford and Metcalfe in view of Hayes-Roth, U.S. Patent Publication No. 2002/0005865. This rejection is traversed.

Hayes-Roth discloses a method and device for authoring content of a computer-controlled agent; in which the structure of prospective interactions between agents and their users is anticipated and localized contexts within that abstract structure that authors are allowed to create content for a localized context are defined. The authored content can be a person, an application, the role of an agent, or may relate to natural language conversation in which the agent engages.

Hayes-Roth does not cure the above-cited deficiencies of Blandford and Metcalfe as they relate to independent claim 1. Claim 5 depends from independent claim 1 and thus incorporates novel and nonobvious features thereof. Therefore, claim 5 is patentably distinguishable over the prior art for at least the reasons that independent claim 1 is patentably distinguishable over of the prior art. Accordingly, this rejection should now be withdrawn.

Rejection of Claim 6 under 35 U.S.C. § 103

Claim 6 is rejected under 35 U.S.C. § 103 has been obvious from Blandford and Metcalfe in view of Berenson et al., U.S. Patent Publication No. 2001/0049617. This rejection is traversed.

Independent claim 6 requires prompting a user for greater detail in an event defined by the record.

The Examiner alleges that Metcalfe discloses this feature. Metcalfe does not disclose or suggest an event defined by a record, as claimed in independent claim 6. The

passages of Metcalfe cited by the Examiner, paragraph 39 and 41, disclose various types of “secondary interfaces” that prompt a user to enter additional information. However, Metcalfe does not disclose or suggest an event defined by the record as recited by independent claim 6.

Berenson does not remedy the deficiencies of Blandford and Metcalfe as they relate to independent claim 6. Accordingly, this rejection should now be withdrawn.

Rejection of Claims 17 and 18 under 35 U.S.C. § 103

Claims 17 and 18 are rejected under 35 U.S.C. §103 as being obvious from Blandford in view of Hayes-Roth. This rejection is traversed.

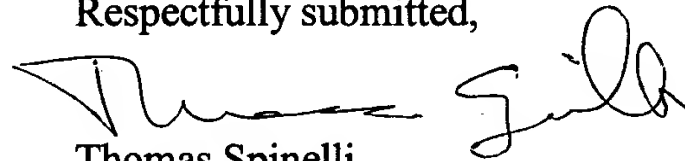
Independent claim 17 and 18 require generating an index responsive to the sensing of states, events or moods of a user or the user’s environment. According to an aspect of Applicant’s claimed invention one or more parameters indicative of various types of conditions existing at a particular time may be lumped together as an “index” based on the sensed state, event or mood (Applicant's disclosure, page 7).

The Examiner acknowledges that Blandford does not disclose or suggest this index feature.

The cited passages of Hayes-Roth disclose that agents based on the values of two state variables may be generated by a user according to the content facilitated by the interactive agent generation system method and device of the invention. However, Hayes-Roth does not disclose or suggest an index based on several parameters indicative of a condition. Therefore, Blandford and Hayes-Roth, even taken together in combination, do not disclose or suggest the recitations of independent claim 17 and 18. Accordingly, this rejection should now be withdrawn.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas Spinelli", written over a horizontal line.

Thomas Spinelli

Registration No.: 39,533

Scully, Scott, Murphy & Presser
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
TS/GB:cm